

FILED US District Court-UT  
NOV 15 '23 AM 11:17

TRINA A. HIGGINS, United States Attorney (#7349)  
VICTORIA K. McFARLAND, Assistant United States Attorney (#11411)  
SETH A. NIELSEN, Assistant United States Attorney (#13823)  
Attorneys for the United States of America  
Office of the United States Attorney  
111 South Main Street, Suite 1800  
Salt Lake City, Utah 84111-2176  
Telephone: (801) 524-5682

**SEALED**

---

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

---

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW CHARLES  
KENNINGTON,

Defendant.

**INDICTMENT**

VIOLATION:

Count I: 18 U.S.C. § 922(a)(6), False  
Statement During Acquisition of a  
Firearm.

Case: 2:23-cr-00421  
Assigned To : Kimball, Dale A.  
Assign. Date : 11/15/2023

---

The Grand Jury charges:

**COUNT I**

18 U.S.C. § 922(a)(6)  
(False Statement During Acquisition of a Firearm)

On or about July 2, 2023, in the District of Utah,

MATTHEW CHARLES KENNINGTON,

defendant herein, in connection with the acquisition of a firearm, to wit: an FN M249S

5.56x45mm caliber rifle, from a licensed firearm dealer within the meaning of Chapter 44,

Title 18, United States Code, knowingly made a false and fictitious written statement intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearm, in that he falsely answered “yes” on an ATF 4473 Form asking whether he was the actual transferee/buyer of the firearm, and, as he then knew, his answer was untrue, all in violation of 18 U.S.C. § 922(a)(6), and punishable pursuant to 18 U.S.C. § 924(a)(2).

**NOTICE OF INTENT TO SEEK FORFEITURE**

Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction for any offense violating 18 U.S.C. § 922, the defendant shall forfeit to the United States of America any firearm or ammunition involved in or used in the commission of the offense, including but not limited to:

- FN M249S 5.56x45mm caliber rifle, s/n M249SA06450

A TRUE BILL:



\_\_\_\_\_  
FOREPERSON OF GRAND JURY

TRINA A. HIGGINS  
United States Attorney



VICTORIA K. McFARLAND

SETH A. NIELSEN

Assistant United States Attorneys